

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
- v. -	:	PRELIMINARY ORDER OF
	:	FORFEITURE AS TO
ALEX RUDAJ,	:	<u>SUBSTITUTE ASSETS</u>
a/k/a "Sandro Rudovic,"	:	
a/k/a "Uncle,"	:	S3 04 Cr. 1110 (DLC)
a/k/a "Allie Boy,"	:	
	:	
Defendant.	:	
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WHEREAS, on or about September 12, 2005, ALEX RUDAJ (the "Defendant"), among others, was charged in thirteen counts of a twenty-one count Superseding Indictment, S3 04 Cr. 1110 (DLC) (the "Indictment"), with racketeering, in violation of Title 18, United States Code, Section 1962(c) (Count One); racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d) (Count Two); assault in aid of racketeering, in violation of Title 18, United States Code, Section 1959(a)(3) and 2 (Counts Three and Four); illegal gambling conspiracy, in violation of Title 18, United States Code, Section 371 (Count Five); operation of an illegal gambling business, in violation of Title 18, United States Code, Section 1955 and 2 (Count Six); extortion conspiracy, in violation of Title 18, United States Code, Section 1951 (Count Nine); attempted extortion, in violation of Title 18, United States Code, Section 1951 and 2 (Count Ten); conspiracy to use extortionate means to collect and extension of credit, in violation of Title 18, United States Code, Section 984 (Count Eleven); extortion conspiracy, in violation of Title 18, United States Code, Section 1951 (Count Twelve); illegal use and carrying of a firearm, in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii) and 2 (Count Thirteen); and

bank fraud, in violation of Title 18, United States Code, Section 1344 (Counts Fourteen and Fifteen) (D.E. 214);

WHEREAS, on or about January 4, 2006, the Defendant was found guilty, following a jury trial, of Counts One, Two, Three, Five, Six, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen and Fifteen of the Indictment;

WHEREAS, on or about June 26, 2006, the Court entered a Preliminary Order of Forfeiture imposing a money judgment against the Defendant in the amount of \$5,755,000 (the “Money Judgment”), and ordering the forfeiture of all of the Defendant’s right, title, and interest in various properties (the “Specific Property”) (D.E. 417);

WHEREAS, on or about May 13, 2010, the Court entered a Final Order of Forfeiture forfeiting all right, title and interest in the Specific Property to the Government (D.E. 557);

WHEREAS, to date, approximately \$4,700,000 of the Money Judgment against the Defendant remains unpaid;

WHEREAS, as a result of the acts or omissions of the Defendant, the United States has not been able to locate, obtain or collect assets traceable to the proceeds of the Defendant’s offenses, despite the exercise of due diligence in investigating the assets of the Defendant; and

WHEREAS, the Government has identified the following specific asset in which the Defendant has an ownership interest: the sum of \$38,662.00 in United States currency seized by the Government from the Defendant on or about October 26, 2004 at the time of his arrest (the “Substitute Asset”);

WHEREAS, the Government is seeking the forfeiture of all of the Defendant’s right, title and interest in the Substitute Asset.

NOW IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. All of the Defendant's right, title and interest in the Substitute Asset is hereby forfeited to the United States of America, for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853(n).

2. Upon entry of this Preliminary Order of Forfeiture as to Substitute Assets, the United States Marshals Service (or its designee) is hereby authorized to take possession of the Substitute Asset and to keep it in its secure, custody and control.

3. Upon entry of a Final Order of Forfeiture, the Substitute Asset shall be applied towards the satisfaction of the Money Judgment entered against the Defendant.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the official government internet forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture as to Substitute Asset and provide notice that any person, other than the Defendant in this case, claiming an interest in the Substitute Asset must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The notice referenced in the preceding paragraph shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Substitute Asset, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the Substitute Asset and any additional facts

supporting the petitioner's claim and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

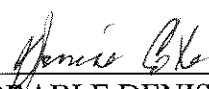
6. The United States may also, to the extent practicable, provide direct written notice to any person, other than the Defendant, known to have an alleged interest in the Substitute Asset, as a substitute for published notice as to those persons so notified.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Substitute Asset, pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Substitute Asset, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

Dated: New York, New York
May 16, 2023

SO ORDERED:



HONORABLE DENISE L. COTE
UNITED STATES DISTRICT JUDGE